

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 9/23/2014	(3) CONTACT/PHONE Airlin M. Singewald, Planner III / (805) 781-5198	
(4) SUBJECT Hearing to consider a resolution for a request by the Cambria Community Services District (CCSD) to waive the application fees for a Development Plan/Coastal Development Permit (DRC2013-00112) for the Cambria Emergency Water Supply Project. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board consider the request by the Cambria Community Services District (CCSD) to waive the application fees for a Development Plan/Coastal Development Permit (DRC2013-00112) for the Cambria Emergency Water Supply Project, and approve the request based upon the findings in Exhibit "A".			
(6) FUNDING SOURCE(S) General Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$13,293.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation { x } Hearing (Time Est. <u>25 minutes</u>) { } Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS { x } Resolutions { } Contracts { } Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required { x } N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { x } N/A Date: <u> </u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 2			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Airlin M. Singewald, Planner III

DATE: 9/23/2014

SUBJECT: Hearing to consider a resolution for a request by the Cambria Community Services District (CCSD) to waive the application fees for a Development Plan/Coastal Development Permit (DRC2013-00112) for the Cambria Emergency Water Supply Project. District 2.

RECOMMENDATION

It is recommended that the Board consider the request by the Cambria Community Services District (CCSD) to waive the application fees for a Development Plan/Coastal Development Permit (DRC2013-00112) for the Cambria Emergency Water Supply Project, and approve the request based upon the findings in Exhibit "A".

DISCUSSION

Summary

On May 15, 2014, the Department of Planning and Building issued an emergency permit authorizing the construction of a 250 acre-foot capacity brackish water desalination facility to be operated during a CCSD-declared Stage 3 Water Shortage Emergency. As required by the County's emergency permit procedures, the CCSD applied for a follow-up "regular" coastal development permit for the proposed project on June 14, 2014. The CCSD is asking your Board to waive the application fees (\$13,293) for the follow-up permit.

Background

On January 30, 2014, the CCSD declared a Stage 3 Water Shortage Emergency due to severe drought conditions. This declaration was based on the District's analysis showing that projected water demands could exceed available supplies from the Santa Rosa and San Simeon creek aquifers (Cambria's only water supplies) and responded to Governor Jerry Brown's January 17, 2014 State of Emergency Proclamation.

The District's Stage 3 Water Shortage Emergency declaration enacted stringent water conservation measures, including surcharges for excessive water use and a prohibition on outdoor watering or irrigation of landscaping with potable water. While these conservation measures have successfully curtailed water use in Cambria, the District determined that a back-up water supply project is vital to ensure the security of Cambria's water supply. The District Board initiated such a project when it passed an emergency authorization on January 30, 2014 to suspend formal bidding procedures and entered into a contract with CDM Smith to design and construct a 250 acre-foot capacity brackish water desalination facility.

Project Description

The brackish water desalination facility will be located adjacent to San Simeon Creek on a 95-acre parcel (APN: 013-051-024), midway between Cambria and San Simeon, about 0.5-mile east of Highway 1 and the San Simeon State campground. The project will use an existing CCSD well to supply brackish water to an advanced water treatment plant, which will desalinate and treat the brackish water through a combination of microfiltration, reverse osmosis, and disinfection with ultraviolet light and hydrogen peroxide. The treated water is then injected back into the ground near the CCSD's existing production wells. To meet State health standards, the injection well is located a minimum distance away to ensure that the treated water travels underground at least two months before it reaches the San Simeon wells that supply potable water. An existing earthen reservoir will be converted into a brine evaporation pond that would be periodically emptied using a small tractor/loader.

Fee Waiver Justification

The Department's Fee Schedule authorizes the Planning Director to waive up to \$5,000 in permit processing fees for projects that provide broad public benefit. When fees exceed \$5,000, staff typically brings the whole amount to your Board for consideration.

Footnote 4.e of the Department's Fee Schedule states that the Board of Supervisors has the authority to consider other fee waiver requests, in excess of \$5,000, when it considers such waivers to be equitable and in the public interest.

Evidence of public benefit may include but is not limited to:

1. The project meets a need previously identified or recognized by the Board of Supervisors.
2. The project replaces another facility that previously provided benefit.
3. The project provides a facility not presently available in the community.
4. The project has generated substantial, obvious community support.
5. The project would reduce other County costs or increase other County revenues.

The CCSD is a non-profit government agency responsible for delivering water, wastewater, and other services to Cambria residents. The CCSD states that the project provides a direct and obvious benefit to the public at large by securing Cambria's water supply during the current and future droughts. Waiver of the fees would be equitable and in the public interest per Footnote 4.e of the San Luis Obispo County Department of Planning and Building Fee Schedule because the project would be developed and maintained at no expense to the County and will be in the best interest of Cambria residents and visitors.

The project meets a need previously identified or recognized by the Board of Supervisors because it would secure Cambria's water supply during extended drought conditions and, on March 11, 2014, the Board of Supervisors proclaimed a local emergency due to drought conditions in San Luis Obispo County.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel reviewed the resolution as to form and legal effect.

FINANCIAL CONSIDERATIONS

The land use permit processing fees associated with the proposed project are estimated to be \$13,293. These fees are intended to cover the Department of Planning and Building staff costs for all project-related tasks, including report review and evaluation, applicant, consultant and agency meetings, CEQA noticing, public hearing noticing, field visits, and other related work. If your Board approves the fee waiver request the Planning and Building budget would need to be subsidized from the County General Fund for \$13,293.

RESULTS

Approving the waiver of land use permit fees would result in continued processing of a Development Plan/Coastal Development Permit for the Cambria Emergency Water Supply Project. This action is consistent with the countywide goal of providing for healthy and well governed communities.

ATTACHMENTS

1. Resolution approving the request by CCSD to waive permit processing fees
Exhibit A. Findings
2. Vicinity Map